

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARJORIE THORNTON,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security

Defendant.

CASE NO. CV13-00401 BJR

ORDER GRANTING JUDGMENT
FOR DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
PLAINTIFF'S OBJECTIONS [21]**

The Court, after consideration of the complaint, the parties' briefs, and the Report and Recommendation of the Honorable Mary Alice Theiler, does hereby find that:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's Objections to the Report and Recommendation restate Plaintiff's objections to the findings of the Commissioner, without undermining Judge Theiler's findings.
- (3) To the extent that Judge Theiler cited Exhibit 4E in the Administrative Record for support for her conclusion, this was merely additional illustrative support rather than a necessary element to her conclusion. Even if *Connett v. Barnhart*, 340 F.3d 871, 874 (9th Cir. 2003),

1 required its rejection, this does not undermine the conclusions of the Report and
2 Recommendation.

3 (4) The final decision of the Commissioner is **AFFIRMED** and this case is dismissed
4 with prejudice.

5 (5) The Clerk of the Court is respectfully directed to enter judgment for Defendant
6 and close this case in its entirety. The Clerk of the Court is further directed to send copies of this
7 Order to the parties and to Judge Theiler.

8 **IT IS SO ORDERED.**

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10 DATED this 12th day of February, 2014.

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BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE
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